

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

In Re:

Thomas Francis Young and
Connie Angelina Young,

Debtors.

Bankruptcy Case No. 20-11844-t11

Thomas Francis Young and
Connie Angelina Young,

Appellants.

U.S. District Court Appeal No. Civ. 21-309 JCH/KRS

ORDER DIRECTING APPELLANT TO CURE DEFECTS

THIS MATTER is before the Court on the bankruptcy clerk's Notice of Inability to Transmit Record on Appeal, (Doc. 3), filed April 26, 2021. Appellants Thomas Francis Young and Connie Angelina Young filed this bankruptcy appeal on April 6, 2021. (Doc. 1). Pursuant to Fed. R. Bankr. P. 8009, appellants must file a designation of the items to be included in the record on appeal and a statement of the issues to be presented within 14 days after the notice of appeal becomes effective or an order granting leave to appeal is entered. Fed. R. Bankr. P. 8009(a)(1)(A), (B); *see also* Fed. R. Bankr. P. 8002(a)(1) (Unless a party files a motion that may have an effect on the time to appeal, a notice of appeal must be filed with the bankruptcy clerk within 14 days after entry of the judgment, order, or decree being appealed). According to the bankruptcy clerk, Appellants had until April 20, 2021, to file their designation of items to be included in the record on appeal and a statement of the issues, but failed to file either document with the bankruptcy court. (Doc. 3). Appellants further failed to pay the required filing fee. *Id.* Accordingly, the bankruptcy clerk filed a Notice of Inability to Transmit Record on Appeal. *Id.*

IT IS THEREFORE ORDERED that to avoid dismissal of this action, Appellants shall submit their designation of items to be included in the record on appeal and statement of issues to be presented as required by Fed. R. Bankr. P. 8009 and pay the required appeal filing fee, or provide the Court with a written explanation showing good cause why they failed to do so, **on or before May 14, 2021. Failure to respond to this order may result in the dismissal of this bankruptcy appeal without further notice.**

IT IS SO ORDERED.



KEVIN R. SWEAZE
UNITED STATES MAGISTRATE JUDGE